# OFFICE OF THE HEARING EXAMINER KING COUNTY, WASHINGTON

850 Union Bank of California Building 900 Fourth Avenue Seattle, Washington 98164 Telephone (206) 296-4660 Facsimile (206) 296-1654

# REPORT AND DECISION ON PRELIMINARY PLAT APPLICATION

SUBJECT: Department of Development and Environmental Services File No. L00P0023

Proposed Ordinance #2002-0237

# **DICKINSON SUBDIVISION**

Plat Application

Location: East of 162<sup>nd</sup> Avenue Southeast, South of Southeast 137th Place

and North of Southeast 142nd Place

Applicant: Keith Miya, represented by

**D.R. Strong Consulting Engineers** 10604 Northeast 38th Place, Suite 101

Kirkland, WA 98033 Telephone: (425) 827-3063 Facsimile: (425) 827-2423

King County: Department of Development and Environmental Services

Land Use Services Division, *represented by* **Kim Claussen,** Current Planning Section

900 Oakesdale Avenue SW Renton, WA 98055-1219 Telephone: (206) 296-7167 Facsimile: (206) 296-7055

#### **DECISION SUMMARY:**

Department's Preliminary Recommendation:

Department's Final Recommendation:

Examiner's Decision:

Approve, subject to conditions

Approve, subject to conditions

Approve, subject to conditions

Complete application: December 4, 2000

#### **EXAMINER PROCEEDINGS:**

Hearing Opened: June 25, 2002 Hearing Closed: June 25, 2002

# **KEY WORDS:**

- Wetland
- Wetland buffer area
- Student walking conditions
- Drainage

#### SUMMARY:

Approves the subdivision of 4.71 acres, classified R-4, into 5 residential building lots plus 1 "future development" tract and 1 combined onsite recreation and storm drainage tract.

# FINDINGS OF FACT:

# 1. **General Information**.

Owner: Keith Miya

235 Bremerton Avenue Southeast

Renton, WA 98095

Developer: Donita Dickinson

64 Renton Avenue South Renton, WA 98055 206-979-7370

Engineer: D.R. Strong Consulting Engineers

10604 NE 38th Place, Suite 101

Kirkland, WA 98033 (425) 827-3063

STR: 14-23-05

Location: Generally east of 162<sup>nd</sup> Avenue Southeast, south of Southeast 137<sup>th</sup> Place

and north of Southeast 142<sup>nd</sup> Place

Zoning: R-4

Acreage: 4.71 acres

Number of Lots: 5

Density: Approximately one unit per acre

Lot Size: Ranges from approximately 25,637 to 28,974

Proposed Use: Single-Family Detached

Sewage Disposal: Septic (dry sewers also will be installed)

Water Supply: King County Water District #90

Fire District: East Renton #25 School District: Issaquah #411

Complete Application Date: December 4, 2000

2. Donita Dickinson ("Applicant"), represented by D.R. Strong Consulting Engineers, proposes to subdivide a 4.71 acre parcel into 5 single family residential building lots, together with separate tracts for drainage and recreation and for future development. The overall density is approximately 1 dwelling unit per acre, with lot sizes ranging from approximately 25,637 to 28,974 square feet.

The minimum number of dwelling units required for subdivision of this property is 14. Plat density and dimension calculations, contained in exhibit no. 1. In addition to the five proposed single family residential building lots, the Applicant has set aside "tract B" as a building site for nine town homes. In this way, the Applicant achieves the minimum density for subdivision of this property. There is no building permit application pending for the nine town home development proposal, nor is there any requirement that the Applicant file one within any particular time period.

- 3. **State environmental policy act compliance**. On April 26, 2002, the Department of Development and Environmental Services ("Department" or "DDES") issued a threshold determination of nonsignificance for the proposed plat of Dickinson. That is, the Department issued its determination that no environmental impact statement would be necessary to prepare regarding this proposed development, based upon the Department's review of the environmental checklist and other relevant environmental documents, plans, policies and regulations. No agency, tribe, person or other entity appealed that determination. The environmental review record is included in this public hearing record.
- 4. **Department recommendation**. The Department recommends granting preliminary approval to the proposed plat of Dickinson, subject to the 19 conditions of final plat approval stated on pages 6 through 10 of the Department's preliminary report (exhibit no. 2), with the following amendments:
  - a. **Wetland study requirement**. Recommended condition no. 16.a at page 8 of the Department's preliminary report (exhibit no. 2) indicates in its first sentence that a class 2 wetland, located off site, extends onto the southwest portion of the site. Following some discussion, the Department agrees that this sentence may be deleted, provided that the remainder of recommended condition no. 16.a is retained. The remainder of the condition requires the Applicant to submit an addendum wetland report and delineation of the offsite wetland in order to accurately determine the extent that the wetland or its buffer may encroach upon the subject property, or whether it encroaches on the subject property at all.
  - b. **Offsite street improvements**. Recommended final plat approval condition no. 9d requires the Applicant to provide the necessary improvements to assure that 20 feet of roadway pavement plus a four foot gravel shoulder exists north and west of the subject property—along 162<sup>nd</sup> Avenue Southeast and Southeast 136<sup>th</sup> Street—as far away as the Southeast 136<sup>th</sup> Street/160<sup>th</sup> Avenue Southeast intersection. In response to concerns raised by the Applicant, the Department in exhibit no. 17 proposes to amend recommended condition no. 9.d with the following language in order to allow the Applicant to provide an alternative acceptable pedestrian route.

The four foot [wide] gravel shoulder [requirement] may be deleted if alternative walkways provisions to the bus stop(s) are provided, as approved by the Issaquah School District and DDES prior to/or concurrent with engineering plan submittal.

The Department does not object to the nine unit townhouse proposal for tract B, as a way of obtaining the minimum density of the R-4 zoning classification, even though City of Renton opposition means that the nine town homes are unlikely to be constructed. <sup>1</sup>

Also, presumably, the Department finds the required internal street development ("road A"), at "urban minor access" street standard, to be sufficient to serve the 25 or so lots that may be achieved through further short subdivision of the plat of Dickinson.<sup>2</sup>

- 5. **Applicant response**. The Applicant accepts the Department's recommendation as described above.
- 6. **Public participation**. No agency or person expressed concern or opposition regarding the proposed development, except for the City of Renton statement of opposition to the nine lot potential of tract B. The City did not comment on the 3 to 4 lot short subdivision potential of each of the residential lots—a matter reviewable at the time of short subdivision proposal should that occur.
- 7. **Drainage**. Drainage complaints have occurred in a parallel sub basin but not within the basin within which the subject property is located. The Department has reviewed the drainage calculations of the Applicant and finds them acceptable. The Department recommends level 2 drainage controls as described in the King County Surface Water Management Design Manual.
- 8. **Safe walking conditions**. RCW 58.17.110 sets the minimum standards for subdivision approval in Washington State. One of those standards requires the County to find, before granting subdivision approval, that safe walking conditions exist for students who walk to school. As a matter of equal protection, the County has extended that standard to apply also to students who walk to the school bus stop. Safe walking conditions between the bus stop and the school are not required because, obviously, the students are supposed to ride the bus.

On this basis, the Department recommends condition no. 9d, which requires the Applicant to provide a 4 foot wide walking shoulder between the subject property and the bus stop at the Southeast 136<sup>th</sup>/160<sup>th</sup> Avenue Southeast intersection. The Applicant would prefer not to construct that graveled shoulder, even though the Applicant expects one to three children on each lot. However, the Applicant finds acceptable the additional language contained in finding no. 4, above. That language would allow the Applicant to arrange "safe walking conditions" with

Potential development: lot no. 1, 28,974 feet, four lots; lot no. 2, 26,729 square feet, three lots; lot no. 3, 26,644 square feet, three lots; lot no. 4, 28,576 square feet, four lots; lot no. 5, 25,637 square feet, three lots; tract B, nine zero lot line town homes. King County Road Standards (KCRS) Section 2.03 permits only 16 maximum dwelling units on a minor access street such as recommended by the Department in this case.

<sup>&</sup>lt;sup>1</sup> The nine town homes cannot be constructed without public sewer service. The public sewer service provider to this property will be the City of Renton. If the City of Renton stands by its present position, then as a condition of providing sewer service, it will refuse service to the town homes.

Liberty High School, which conveniently abuts the subject property. The walkway would serve elementary and middle school students (not attending Liberty). The Department expects to see the Applicant's final proposal include a letter of approval from Issaquah School District 411. The Department seeks assurance regarding whether the Issaquah School District will object or have concerns due to a closed campus policy or due to potential interference with athletic fields or other facilities/improvements on the Liberty High School property. The hearing record does not contain a detailed description of the Liberty High School property. While the Department's concerns are legitimate and must be investigated, they represent a worst case scenario. Another possibility would be that the Applicant would be granted access for student pedestrians to and through the Liberty High School property without needing to make any walkway improvements at all. The District's preferences should be given substantial weight in the Department's administrative review of these questions.

10. **Department report adopted**. Except as noted above, the facts and analysis contained in the Land Use Services Division Preliminary Report (exhibit no. 2) are correct and are incorporated here by reference. A copy of the Land Use Services Division report will be attached to those copies of the examiner's report which are submitted to the King County Council.

#### **CONCLUSIONS:**

- 1. We are surprised that the Department did not raise the minimum density issue (see finding no. 1, above) at hearing. Because County policies or guidelines regarding a proposal such as the instant one are vague or not obviously articulated, thorough research and reporting on such an issue would be preferable to not mentioning it. However, we note, that the issue has not been contested by any person or agency, even though the outcome in the plat of Dickinson *may* run counter to growth management policy. The Department's thinking, whatever it was, will not be rethought here. We will adopt the Department's recommendation with the understanding that this examiner's decision places zero weight of precedent upon future plat applications.
- 2. The Department's recommended amendment to condition no. 9.d (exhibit no. 17; finding no. 4.b, above) will assure that the Washington Legislature's interest in safe student walking conditions will be assured one way or another. Moreover, we have no doubt that the regulatory issues concerning offsite wetlands will be resolved satisfactorily and consistent with applicable regulation.
- 3. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the King County Comprehensive Plan, Subdivision and Zoning Codes, and other official land use controls and policies of King County.
- 4. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare and for open spaces, for drainage ways, streets, other public ways, transit stops, potable water supply, sanitary wastes, parks and recreations, playgrounds, schools and school grounds, and safe walking conditions for students who only walk to school; and it will serve the public use and interest.
- 5. The conditions for final plat approval recommended below are in the public interest and are reasonable requirements to mitigate the impacts of this development upon the environment.

6. The dedications of land or easements within and adjacent to the proposed plat, as recommended by the conditions for final plat approval or as shown on the proposed preliminary plat submitted by the applicant, are reasonable and necessary as a direct result of the development of this proposed plat.

# **DECISION:**

The proposed plat of Dickinson is granted preliminary approval, subject to the following conditions of final plat approval:

- 1. Compliance with all platting provisions of Title 19 of the King County Code.
- 2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
- 3. The plat shall comply with the base density and minimum density requirements of the R-4 zone classification. All lots shall meet the minimum dimensional requirements of the R-4 zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services. Note, project is utilizing the provisions of 21A.12.060.B.1.

# 4. Septic/Sewer:

- a. The applicant must obtain final approval from the King County Health Department.
- b. A Certificate of Future Connection from the appropriate sewer purveyor must be submitted prior to or concurrent with the engineering plan submittal.
- c. Dry sewers should be shown on the engineering plans and be reviewed and approved by the future sewer purveyor. The dry sewers shall be installed along 162<sup>nd</sup> Ave. SE frontage and internal road prior to final plat approval.
- 5. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187, as amended (1993 KCRS).
- 6. The applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.
- 7. Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval, which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review.

- a. Drainage plans and analysis shall comply with the 1998 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
- b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
- c. The following note shall be shown on the final recorded plat:

All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # \_\_\_\_\_\_\_ on file with DDES and/or the King County Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."

- 8. A surface water adjustment (L01V0102) is approved for this project. All conditions of approval for this adjustment shall be met upon submittal of the engineering plans. The Level 2 Flow Control is a condition of approval and required by the 1998 King County Surface Water Design Manual (KCSWDM).
- 9. The following road improvements are required to be constructed according to the 1993 King county Road Standards (KCRS):
  - a. Road A, the internal access road shall be improved to the urban minor access street standard.
  - b. FRONTAGE: the frontage of the subdivision along 162<sup>nd</sup> Ave. SE shall be improved to the urban ½-street standard.
  - c. OFFSITE: 162<sup>nd</sup> Ave. SE from the north plat boundary to the existing road pavement (south boundary of Liberty Lane) shall be improved to the rural ½ street standard. A thickened edge with a 4-ft gravel shoulder may be designed for this improvement.
  - d. OFFSITE: 162<sup>nd</sup> Ave. SE (south boundary of Liberty Lane to SE 136<sup>th</sup> St.) <u>and</u> SE 136<sup>th</sup> Street (162<sup>nd</sup> Ave. SE to 160<sup>th</sup> Ave. SE) shall be improved to a minimum 20 ft pavement width with a four ft gravel shoulder on one side. *The four foot wide gravel shoulder requirement will be deleted if alternative walkway opportunities to middle school and elementary bus stop(s) are provided, as approved by the Issaquah School District and DDES, prior to, or concurrent with, engineering plan submittal.*
  - e. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.08 of the KCRS.
- 10. A pedestrian access tract (10 feet in width, 5 ft. paved surface) shall be provided to the adjacent school. The applicant shall coordinate with the Issaquah School District to determine the

appropriate location. This tract shall be owned and maintained by the Homeowner's Association, with an easement granted to the public. Written verification regarding the location from the school district shall be submitted with the engineering plans. In the event a pedestrian connection is determined unnecessary by the Issaquah School District, this tract shall no longer be required.

- 11. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
- 12. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
- 13. Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent (50%) of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
- 14. There shall be no direct vehicular access to or from 162<sup>nd</sup> Avenue Southeast from those lots which abut it. A note to this effect shall appear on the engineering plans and final plat.
- 15. The planter islands (if any) within the cul-de-sacs shall be maintained by the abutting lot owners or homeowners association. This shall be stated on the face of the final plat.
- 16. Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant.
  - a. The applicant shall submit an addendum wetland report and delineation of this wetland to determine if the wetland and/or associated buffer extend on-site. This report shall be submitted for DDES review and approval prior to or concurrent with the engineering plan submittal. This may result in the reconfiguration of the lots and/or tracts.
  - b. Class 2 wetland(s) shall have a minimum buffer of 50 feet, measured from the wetland edge.
  - c. The wetland(s) and their respective buffers shall be placed in a Sensitive Area Tract (SAT).
  - d. Buffer averaging may be proposed, pursuant to KCC 21A.24.320,-provided the total amount of the buffer area is not reduced and better resource protection is achieved, subject to review and approval by a DDES Senior Ecologist.

- e. A minimum building setback line of 15 feet shall be required from the edge of the tract.
- f. The proposed subdivision shall comply with the Sensitive Areas Code as outlined in KCC 21A.24. Permanent survey marking, and signs as specified in KCC 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed.
- g. The following note shall be shown on the final engineering plan and recorded plat:

# RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE AREAS AND BUFFERS

Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

- 17. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.).
  - a. A detailed recreation space plan (i.e., landscape specs, area calculations, equipment specs, etc.) shall be submitted for review and approval by DDES and King County Parks prior to or concurrent with the submittal of the engineering plans. Note, landscaping, fencing, additional equipment may be required during the detailed review.

- b. A performance bond for recreation space improvements shall be posted prior to recording of the plat.
- 18. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation, open space and/or sensitive area tract(s), and pedestrian access tract.
- 19. Street trees shall be provided as follows (per KCRS 5.03 and KCC 21A.16.050):
  - a. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
  - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County Department of Transportation determines that trees should not be located in the street right-of-way.
  - c. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
  - d. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners association or other workable organization unless the County has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
  - e. The species of trees shall be approved by DDES if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
  - f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval.
  - g. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.
  - h. A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.

D.C. Ti'.	
R.S. Titus, Deputy	

ORDERED this 2nd day of July, 2002.

### King County Hearing Examiner

# TRANSMITTED this 2nd day of July, 2002, to the parties and interested persons of record:

Victor Banks **DR Strong Consulting Engineers** 10604 NE 38th Pl., Ste. 101 Kirkland WA 98033

Roger Dorstad **Evergreen East Realty** PO Box 375

Redmond WA 98073

Keith L. Miva 235 Bremerton Ave. SE Renton WA 98095

Seattle-King County Health Dept Greg Bishop

14350 SE Eastgate Way Bellevue WA 98007

Mr. & Mrs. Bob Wilmot 13900 - 160th Ave. SE Renton WA 98059

Nick Gillen DDES/LUSD Site Development Services MS OAK-DE-0100

Carol Rogers LUSD/CPLN MS OAK-DE-0100

**Bruce Whittaker** LUSD/ERS Prel. Review Engineer MS OAK-DE-0100

**Brett Davis** 228 Bremerton Ave. SE Renton WA 98059 Renton WA 98059-4821

Luay Joudeh **DR Strong Consulting Engineers** 10604 NE 38th Pl., Ste. 101 Kirkland WA 98033

Eleanor Moon King County Executive Horse Council 811 S. 273rd Ct. 12230 NE 61st Kirkland WA 98033

Gerald Smith 8524 S. 125th Renton WA 98055

Greg Borba DDES/LUSD MS OAK-DE-0100 MS OAK-DE-0100

Bill Kerschke Wetland Review DDES/SD MS OAK-DE-0100

Steve Townsend DDES/LUIS Land Use Inspections MS OAK-DE-0100

Donita Dickinson

c/o John L. Scott Real Estate 4735 NE 4th St.

Linda Matlock WA St. Dept. of Ecology P O Box 47696

Olympia WA 98504-7696

**David Petrie** Des Moines WA 98198

Marianne Wassell 16227 SE 137th Pl. Renton WA 98059

Kim Claussen DDES/LUSD **Current Planning** 

Kristen Langley DDES/CPLN MS OAK-DE-0100

Larry West LUSD/SDSS Wetland Review MS OAK-DE-0100

#### NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) on or before July 16, 2002. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before July 23, 2002. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Court-house, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

# MINUTES OF THE JUNE 25, 2002 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L00P0023

R.S. Titus was the Hearing Examiner in this matter. Participating in the hearing were Kim Claussen, Bruce Whittaker, and Bill Kerschke, representing the Department; Luay Joudeh of D.R. Strong Consulting Engineers, representing the Applicant; and Brett Davis, interested person.

The following exhibits were offered and entered into the record:

Exhibit No. 1	Department of Development and Environmental Services File No. L00P0023
Exhibit No. 2	Department of Development and Environmental Services Preliminary Report dated
	June 25, 2002
Exhibit No. 3	Application dated December 4, 2000 (complete) submitted Oct. 31, 2000
Exhibit No. 4	Environmental Checklist dated October 31, 2000
Exhibit No. 5	Declaration of Non-significance dated April 26, 2002
Exhibit No. 6	Affidavit of Posting indicating December 27, 2000 as date of posting and December
	28, 2000 as the date the affidavit was received by DDES
Exhibit No. 7	Plat Map dated September 5, 2001 (revision)
Exhibit No. 8	Land Use Map – 811E & 812 W
Exhibit No. 9A	Assessors Map – SW 13-23-5
Exhibit No. 9B	Assessors Map SE 14-25-5
Exhibit No. 10	Revised Level 1 drainage analysis by DR Strong, dated June 5, 2001
Exhibit No. 11	Wetland study by Adolfson, received June 22, 2001
Exhibit No. 12	City of Renton letter dated May 13, 2002
Exhibit No. 13	Drainage Adjustment (file no. L01V0102)
Exhibit No. 14	Issaquah School District comments received June 22, 2001
Exhibit No. 15	Letter from City of Renton to Kim Claussen dated June 21, 2002
Exhibit No. 16	Memo from Bill Kerschke to Nick Gillen dated August 14, 2001
Exhibit No. 17	Amendment to recommended condition 9.d

RST:gao L00P0023 RPT